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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	2:13-CR-439-KJD-(VCF)
	)	
Plaintiff,	)	
	)	
v.	)	Anthony Brandel's Unopposed Motion to
	)	Continue the Evidentiary Hearing currently
ANTHONY B. BRANDEL, and	)	scheduled on December 5, 2017, at 9:00 a.m.
JAMES WARRAS,	)	(Third Request)
	)	
Defendants.	)	

Stephen Stein, counsel for Anthony B. Brandel (Brandel), moves this Court for an Order to continue the evidentiary hearing on December 5, 2017, at 9:00 a.m. to dates and times available to this Court, Brandel, James Warras (Warras), counsel for Brandel, counsel for Warras counsel and witnesses for the United States because according to Mr. Stein, he has a urgent family matter. Assistant Federal Public Defender Raquel Lazo, counsel for Warras, and Assistant United States Attorney (AUSA) Daniel D. Hollingsworth, counsel for the United States, do not object and agree to the continuance of the evidentiary hearing.

This unopposed motion is Brandel's third request for continuance of the evidentiary hearing with Mr. Stein as his attorney. Mr. Stein requested AUSA Hollingsworth to prepare and to

1 file this unopposed motion requesting the continuance of the evidentiary hearing on his client's and  
2 his behalf. AUSA Hollingsworth agreed to do so.

3         Depending on this Court's schedule, Counsel for Brandel is available January 16 through  
4 January 29, 2018. Both Assistant Federal Public Defenders for Warras are available January 16  
5 through January 29, 2018. The government's witnesses are available January 16 through January 29,  
6 2018. Government counsel is available January 16 through January 29, 2018.

7         Government counsel believes this evidentiary hearing and oral arguments regarding the  
8 numerous arguments raised by defendants: sufficient evidence to support the restitution, sufficient  
9 evidence to support the forfeiture amount, restitution, forfeiture, constitutional jury right regarding  
10 forfeiture, statutory right to jury regarding forfeiture, constitutional jury right regarding restitution,  
11 statutory right to jury regarding restitution, Double Jeopardy regarding the imposition of restitution  
12 and forfeiture, the legality of criminal forfeiture money judgments, the Eighth Amendment, *Honeycutt*  
13 issues, etc., will take more than one day.

14         The parties have not submitted this unopposed motion for continuance solely for the  
15 purpose of delay or for any other improper purpose.

16         This Court should grant Brandel's third request for continuance.

17         DATED: December 1, 2017.

18                     STEVEN W. MYHRE  
19                     Acting United States Attorney

20                     /s/ Daniel D. Hollingsworth  
21                     DANIEL D. HOLLINGSWORTH  
22                     Assistant United States Attorney

23                     IT IS SO ORDERED:

24                       
25                     UNITED STATES DISTRICT JUDGE

26                     DATED: 12/4/2017